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DEPARTMENT OF EDUCATION

34 CFR Chapter VI

[Docket ID ED-2014-OPE-0034]

Proposed priorities - Centers for International Business Education (CIBE) Program

[CFDA Number: 84.220A.]

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Proposed priorities.

SUMMARY: The Acting Assistant Secretary for Postsecondary Education proposes priorities for the CIBE Program administered by the International and Foreign Language Education office (IFLE). The Acting Assistant Secretary may use these priorities for competitions in fiscal year (FY) 2014 and later years.

DATES: We must receive your comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Submit your comments through the Federal eRulemaking Portal or via postal mail, commercial delivery, or hand delivery. We will not accept comments submitted by fax or by email or those submitted after the comment period. To ensure that we do not receive duplicate copies,

please submit your comments only once. In addition, please include the Docket ID at the top of your comments.

- Federal eRulemaking Portal: Go to www.regulations.gov to submit your comments electronically. Information on using Regulations.gov, including instructions for accessing agency documents, submitting comments, and viewing the docket, is available on the site under "Are you new to the site?"

- Postal Mail, Commercial Delivery, or Hand Delivery: If you mail or deliver your comments about these proposed regulations, address them to Patricia Barrett, U.S. Department of Education, 400 Maryland Avenue, SW., room 5142, Potomac Center Plaza (PCP), Washington, DC 20202-2700.

Privacy Note: The Department's policy is to make all comments received from members of the public available for public viewing in their entirety on the Federal eRulemaking Portal at www.regulations.gov. Therefore, commenters should be careful to include in their comments only information that they wish to make publicly available.

FOR FURTHER INFORMATION CONTACT: Timothy Duvall

Telephone: (202)502-7622 or by e-mail:

timothy.duvall@ed.gov.

If you use a telecommunications device for the deaf

(TDD) or a text telephone (TTY), call the Federal Relay Service (FRS), toll free, at 1-800-877-8339.

SUPPLEMENTARY INFORMATION:

Invitation to Comment: We invite you to submit comments regarding these priorities. To ensure that your comments have maximum effect in developing the final priorities, we urge you to identify clearly the specific proposed priority that each comment addresses.

We invite you to assist us in complying with the specific requirements of Executive Orders 12866 and 13563 and their overall requirement of reducing regulatory burden that might result from these proposed priorities. Please let us know of any further ways we could reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect all comments about this notice in Room 6069, 1990 K. St., NW, Washington, DC, between the hours of 8:30 a.m. and 4:00 p.m., Washington, DC time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals with Disabilities in Reviewing the Rulemaking Record: On request we will provide an appropriate accommodation or auxiliary aid to an individual with a disability who needs assistance to review the

comments or other documents in the public rulemaking record for this notice. If you want to schedule an appointment for this type of accommodation or auxiliary aid, please contact the person listed under FOR FURTHER INFORMATION CONTACT.

Purpose of Program: The purpose of the CIBE Program is to provide funding to schools of business for curriculum development, research, and training on issues of importance to U.S. trade and competitiveness.

Program Authority: 20 U.S.C. 1130-1.

PROPOSED PRIORITIES: This notice contains two proposed priorities.

Background:

We are proposing two priorities. The first addresses a need to prepare international business students to enter the workforce more readily and the second addresses a gap in the types of institutions, faculty, and students that have historically benefitted from the instruction, training, and outreach available at centers for international business education.

We first propose a priority for applicants that propose to collaborate with one or more professional associations and/or businesses on activities designed to expand employment opportunities for international business

students, such as internships and work-study opportunities. In order to meet this proposed priority, an applicant must propose to collaborate with one or more professional associations, businesses, or firms on activities designed to expand employment opportunities for international business students, such as internships and work/study opportunities.

The proposed priority encourages collaborative activities between CIBEs and international businesses or professional associations to create meaningful internship opportunities for students that will enhance their employment prospects. Internship opportunities that integrate classroom learning with real work experience are often the result of intentional and collaborative efforts between universities and industries. Meaningful internship experiences enhance graduates' prospects for meaningful employment, and they lead to graduates who are better able to apply their learning in the workplace, earn a salary that enables them to be self-supporting, and repay their loans rather than incurring further debt. Moreover, students with international business experience are better prepared to contribute to the work of their employers, which will enhance the ability of United States' businesses to prosper in an international economy.

We propose a second priority for applications that propose collaborative activities with a Minority-Serving Institution (MSI) or a community college. Currently the Centers for International Business Education collaborate with MSIs and community colleges only ad hoc. This, however, limits the extent to which the instruction, training, and professional development resources are regularly available to and accessed by students and faculty at MSIs and community colleges. We believe that by requiring CIBE institutions and MSIs and community colleges to jointly plan, conduct, and implement activities, the international programming, student instruction, career advising, and faculty development opportunities on all campuses will be strengthened and expanded. These collaborations also enhance institutional capacity to recruit students into international business training.

We believe that by specifying the types of institutional collaborations that the CIBEs must engage in, and the types of collaborative activities they must conduct, the activities are more likely both to have a meaningful and measurable effect on students and faculty at MSIs and community colleges and be institutionalized and sustained. We also believe that successful institutional collaborations of this nature will increase the access of

traditionally underserved populations to opportunities for international business learning and the visibility of international business programs and activities on the campuses of MSIs and community colleges.

For this priority, we propose a definition of "Minority-Serving Institution" that would include institutions eligible to receive assistance under §§316 through 320 of part A of Title III, under part B of Title III, or under Title V of the HEA.

The Department would use this definition because both Title III and Title V programs target college student populations that are underrepresented in international education. The Department would like to increase the representation of these groups through collaborations between Title III/Title V institutions and Title VI institutions.

Title III reflects our national interest to provide support to those institutions of higher education that serve low-income and minority students so that equality of access and quality of postsecondary education opportunities may be enhanced for all students. Under the Title III, institutions may receive designation of eligibility depending on their submitted institutional evidence documenting their student demographic data.

Title V targets Hispanic-Serving Institutions because of the high percentage of Hispanic Americans who are at risk of not enrolling in or graduating from institutions of higher education. The law was designed to reduce disparities between the enrollment of non-Hispanic white students and Hispanic students in postsecondary education, which continue to rise.

We propose a definition of "community college" for use with this priority that is broader than the definition in the HEA. The definition of "junior or community college" in section 312(f) of the HEA (20 U.S.C. 1058(f)) excludes institutions that award bachelor's and graduate degrees. For the purpose of this priority, we propose to include in the definition of "community college" institutions that offer bachelor's or graduate degrees if more than 50 percent of the degrees and certificates they award are degrees and certificates that are not bachelor's or graduate degrees. We propose this definition to include institutions that serve significant numbers of students enrolled in programs traditionally offered by community colleges, such as associate degree and certificate programs.

The priorities are:

Proposed Priority 1: Applications that propose to

collaborate with one or more professional associations and/or businesses on activities designed to expand employment opportunities for international business students, such as internships and work-study opportunities.

Proposed Priority 2: Applications that propose significant and sustained collaborative activities with a Minority-Serving Institution (as defined in this notice) or a community college (as defined in this notice). These activities must be designed to incorporate international, intercultural, or global dimensions into the business curriculum of the MSI or community college.

For the purpose of this priority:

Community college means an institution that meets the definition in section 312(f) of the HEA (20 U.S.C. 1058(f)); or an institution of higher education (as defined in section 101 of the HEA (20 U.S.C. 1001)) that awards degrees and certificates, more than 50 percent of which are not bachelor's degrees (or an equivalent) or master's, professional, or other advanced degrees.

Minority-Serving Institution means an institution that is eligible to receive assistance under sections 316 through 320 of part A of Title III, under part B of Title III, or under Title V of the HEA.

Types of Priorities:

When inviting applications for a competition using one or more priorities, we designate the type of each priority as absolute, competitive preference, or invitational through a notice in the Federal Register. The effect of each type of priority follows:

Absolute priority: Under an absolute priority, we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority, we give competitive preference to an application by (1) awarding additional points, depending on the extent to which the application meets the priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority, we are particularly interested in applications that meet the priority. However, we do not give an application that meets the priority a preference over other applications (34 CFR 75.105(c)(1)).

Final Priorities:

We will announce the final priorities in a notice in the Federal Register. We will determine the final priorities after considering responses to this notice and

other information available to the Department. This notice does not preclude us from proposing additional priorities, requirements, definitions, or selection criteria, subject to meeting applicable rulemaking requirements.

Note: This notice does not solicit applications. In any year in which we choose to use one or more of these priorities, we invite applications through a notice in the Federal Register.

Executive Orders 12866 and 13563

Regulatory Impact Analysis

Under Executive Order 12866, the Secretary must determine whether this regulatory action is "significant" and, therefore, subject to the requirements of the Executive order and subject to review by the Office of Management and Budget (OMB). Section 3(f) of Executive Order 12866 defines a "significant regulatory action" as an action likely to result in a rule that may—

(1) Have an annual effect on the economy of \$100 million or more, or adversely affect a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities in a material way (also referred to as an "economically significant" rule);

(2) Create serious inconsistency or otherwise

interfere with an action taken or planned by another agency;

(3) Materially alter the budgetary impacts of entitlement grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles stated in the Executive order.

This proposed regulatory action is not a significant regulatory action subject to review by OMB under section 3(f) of Executive Order 12866.

We have also reviewed this regulatory action under Executive Order 13563, which supplements and explicitly reaffirms the principles, structures, and definitions governing regulatory review established in Executive Order 12866. To the extent permitted by law, Executive Order 13563 requires that an agency--

(1) Propose or adopt regulations only upon a reasoned determination that their benefits justify their costs (recognizing that some benefits and costs are difficult to quantify);

(2) Tailor its regulations to impose the least burden on society, consistent with obtaining regulatory objectives and taking into account--among other things and to the

extent practicable--the costs of cumulative regulations;

(3) In choosing among alternative regulatory approaches, select those approaches that maximize net benefits (including potential economic, environmental, public health and safety, and other advantages; distributive impacts; and equity);

(4) To the extent feasible, specify performance objectives, rather than the behavior or manner of compliance a regulated entity must adopt; and

(5) Identify and assess available alternatives to direct regulation, including economic incentives--such as user fees or marketable permits--to encourage the desired behavior, or provide information that enables the public to make choices.

Executive Order 13563 also requires an agency "to use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible." The Office of Information and Regulatory Affairs of OMB has emphasized that these techniques may include "identifying changing future compliance costs that might result from technological innovation or anticipated behavioral changes."

We are issuing these proposed priorities only upon a reasoned determination that its benefits would justify its

costs. In choosing among alternative regulatory approaches, we selected those approaches that would maximize net benefits. Based on the analysis that follows, the Department believes that this regulatory action is consistent with the principles in Executive Order 13563.

We also have determined that this regulatory action would not unduly interfere with State, local, and tribal governments in the exercise of their governmental functions.

In accordance with both Executive orders, the Department has assessed the potential costs and benefits, both quantitative and qualitative, of this regulatory action. The potential costs are those resulting from statutory requirements and those we have determined as necessary for administering the Department's programs and activities.

Paperwork Reduction Act of 1995

The proposed priority will require minor changes to an information collection already approved by the Office of Management and Budget (OMB) under OMB control number 1840-0616. In addition, the Department has developed new Government Performance and Results Act (GPRA) measures for this program, which will result in significant changes and increased burden hours for this collection. As required by

the PRA, the Department is submitting 1840-0616 to OMB for a revised information collection clearance concurrently with the publication of this notice of proposed priority and definition.

This new information collection for the CIBE Program will include an evaluation guide that provides applicants with more substantive guidance on how to respond in a more compelling manner to the Impact and Evaluation selection criterion. The guide also will include instructions for completing the new performance measure forms (PMFs) that applicants are required to include in their submitted proposals. For each project element that applicants propose to evaluate during the project period, they must include a performance measure form indicating the project-specific measure for that element.

The IFLE Office developed the PMF so that applicants can include measurable outcomes for their CIBE projects, based on the goals and objectives they intend to accomplish. The PMF is designed to help applicants to develop a more cohesive evaluation plan focusing the applicant's attention on specific benchmarks and indicators that will better demonstrate their progress toward achieving their goals and objectives. The PMF should assist applicants in proposing high-quality implementation

plans at the outset for reporting progress and performance results. Additionally, the information and data collected via the forms will enable the Department to provide Congress and other stakeholders with more concrete evidence to demonstrate the impact of CIBE projects. And finally, the PMF is designed to provide a universal format that applicants can use to present the performance information in their applications. The PMF requests the following: (a) Project goal statement; (b) Performance measure; (c) Project activity; (d) Data/Indices; (e) Frequency of collection; (f) Data source; and, (g) Baseline and targets.

In order to mitigate against increasing respondent burden, applicants will be required to complete only items (a), (b), and (c) on the PMF when they submit their FY14 grant applications. If the application is recommended for funding, we will require the submission of fully-completed forms.

The estimated increase in burden hours for CIBE applicants in responding to the new information collection is 100 hours for a new total of 500 hours.

If you want to comment on the proposed information collection requirements, please send your comments to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for U.S. Department of Education.

Send these comments by email to OIRA DOCKET@omb.eop.gov or by fax to (202) 395-6974. You may also send a copy of these comments to the Department contact named in the ADDRESSES section of this preamble or submit electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting Docket ID ED-2014-OPE-0034.

Please be advised that the public comment period for submitting comments on the notice of proposed priorities (NPP) is the same for submitting comments on the information collection (IC); therefore, use the NPP Docket number as the identifier for both sets of comments. You may, however, submit the NPP comments and the IC comments separately in the regulations.gov site.

We have prepared an ICR for this collection. In preparing your comments you may want to review the ICR, which is available at www.reginfo.gov. Click on Information Collection Review. This proposed collection is identified as proposed collection 1840-0616 ED-2014-OPE-0034.

We consider your comments on this proposed collection of information in—

- Deciding whether the proposed collection is necessary for the proper performance of our functions, including

whether the information will have practical use;

- Evaluating the accuracy of our estimate of the burden of the proposed collection, including the validity of our methodology and assumptions;

- Enhancing the quality, usefulness, and clarity of the Information we collect; and

- Minimizing the burden on those who must respond. This includes exploring the use of appropriate automated, electronic, mechanical, or other technological collection techniques.

OMB is required to make a decision concerning the collection of information contained in these proposed regulations between 30 and 60 days after publication of this document in the Federal Register. Therefore, to ensure that OMB gives your comments full consideration, it is important that OMB receives your comments by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. This does not affect the deadline for your comments to us on the proposed regulations.

Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened

federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Accessible Format: Individuals with disabilities can obtain this document in an accessible format (e.g., braille, large print, audiotape, or compact disc) on request to the program contact person listed under FOR FURTHER INFORMATION CONTACT.

Electronic Access to This Document: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available via the Federal Digital System at:

www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe Portable Document Format (PDF). To use PDF you must have Adobe Acrobat Reader, which is available free at the site.

You may also access documents of the Department published in the Federal Register by using the article search feature at: www.federalregister.gov. Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Dated: March 13, 2014

Lynn B. Mahaffie,
Senior Director, Policy
Coordination, Development, and
Accreditation Service, delegated
the authority to perform the
functions and duties of the
Assistant Secretary for
Postsecondary Education.

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